



**HUMAN RESOURCES OFFICE
TECHNICIAN / AGR ADMINISTRATIVE INSTRUCTION**

Number: 08-32

11 August 2008

**FIVE DAYS EXCUSED ABSENCE FOR TECHNICIANS
RETURNING FROM ACTIVE DUTY UPDATE**

EXPIRES: No expiration

1. CNG FPR 353, Uniformed Services Employment and Reemployment Rights Act (USERRA) PL 103-353, paragraph 17(a), One-time Use of Five Day Excused Absence, previously stated: "In November 2003, the President directed agencies to grant Federal employees returning from Title 10 military duty in connection with Operation Iraqi Freedom, Operation Enduring Freedom, Operation Noble Eagle, or any military operation subsequently established under Executive Order 13223, five days of excused absence. **This absence is only available once during a federal technician's career within an agency, regardless of the number of activations.**"
2. Effective immediately, the Office of Personnel Management (OPM) has provided further guidance and direction for Federal Agencies to grant their employees five days of excused absence **each time they return to duty** from such military operations in connection with or subsequently established under Executive Order 13223.
3. If a technician has returned to technician duty and was not granted five days upon the last return to duty, whether it be the first, second or subsequent deployment, he or she may request to take five days of excused absence at a time mutually agreeable to the employee and the agency with the following criteria:
 - a. Technician Supervisors, Branch Chiefs, and/or Commanders will comply with requests as long as technicians provide proof of official documentation (i.e. Mobilization Orders, DD-214, etc), which support their claim.
 - b. The five days must be used immediately and consecutively; not to be "stockpiled" or "banked".
 - c. Only five days will be granted for second or subsequent deployments, not to be confused with having accrued or affixing additional leave days stemming from previous active military service.
 - d. Requests for the five days of excused absences are retroactive to November 14, 2003 in correlation to President Bush's memorandum and with the California National Guard's Agency discretion.
4. All other stipulations surrounding the Five Day Excused Absence still apply and can be referenced in the CNG FPR 353, found at <http://www.calguard.ca.gov/cahr/Pages/Publications.aspx>.
5. Questions may be directed to Ms. Christine A. Zell, Supervisory Human Resources Specialist, at CAGNET 6-3411, DSN 466-3411, (916) 854-3411, or email at christine.zell@us.army.mil.


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